

EXHIBIT F

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

RILEY GAINES, <i>et al.</i>)	
)	
Plaintiffs,)	
)	
v.)	Case No. 1:24-cv-01109-MHC
)	
NATIONAL COLLEGIATE)	
ATHLETIC ASSOCIATION, <i>et al.</i>)	
)	
Defendants.)	

DECLARATION OF LILY MULLENS

I, Lily Mullens declare as follows:

1. I am a resident of the United States, an adult over the age of eighteen, and am competent to testify and have personal knowledge of the facts stated in this declaration.

2. I am currently enrolled as a Senior at Roanoke College near Roanoke, VA, which is a Division III member institution of the National Collegiate Athletic Association (NCAA).

3. I currently compete for Roanoke's women's swimming team, and I have been the captain of the team since my Sophomore year.

4. I am signing this declaration to record the hostile treatment and backlash that I and my teammates encountered when we openly opposed a

transgendered male-to-female athlete participating in women's sports at Roanoke College.

5. The purpose for documenting my own experiences is to emphasize the critical importance of anonymity for other female co-plaintiffs involved in this lawsuit who wish to proceed under a pseudonym.

6. I do not hold any personal animus towards transgendered persons, but I do hold the belief that transgendered male-to-female athletes should not participate in women's sports on the grounds of inherent unfairness due to the physical advantages of male-bodied individuals—particularly those who have experienced puberty as a male.

7. Since expressing these opinions, I have been subjected to various forms of hostility, harassment, and discrimination from other students and faculty at Roanoke College.

8. In the fall of 2023, Roanoke College's administration approached me and my teammates to inform us that a transgender male-to-female student would be joining the Roanoke women's swim team. This student previously participated on the men's swim team during their first year, then took a year-long hiatus from competition before returning to the sport.

9. Several of my teammates and I objected to the transgender's participation and held a press conference on October 5, 2023, to call on the NCAA

to protect women's spaces, privacy, safety, and opportunities by changing policies and laws to keep transgendered men-to-women from competing in women's sports.

10. Shortly before our press conference, the transgendered student (whose name has been kept anonymous) withdrew their request to participate on the women's team.

11. Nevertheless, since that time, my teammates and I have experienced various forms of hostility and backlash on Roanoke College's campus and in its community.

12. For example, shortly after the press conference, we found social media posts on apps such as Yik Yak and Instagram directed at us with messages such as the following:

- a. "have the [women's] swim team drawn and quartered" (**Ex. 1**);
- b. "kate, bailey, and lily, i hope karma gets you one day" (**Ex. 2**);
and
- c. "Special fuck you to the transphobic swim team members" (**Ex. 3**).

A true and correct copy of each of these messages from the social media app Yik Yak is attached hereto as **Exhibits 1, 2, and 3**, respectively.

13. While the college administration issued a mass email to Roanoke College's LGBTQ community urging them to reach out to campus police if they felt unsafe, there were no similar reassurances provided to us.

14. In fact, some of our parents were worried about our safety going to the next meet after our press conference and contacted the school to ask for campus safety. A campus safety officer, along with Roanoke's Dean of Students, Thomas Rambo, accompanied us to our next away meet at Sweet Briar College on October 7, 2023.

15. However, despite our requests for subsequent campus safety we received none. Rather, for about a week following our press conference, several members of our teammates on the men's swim team escorted us around campus to help us feel safe.

16. In addition to experiencing concerns for my personal safety, I believe my teammates and I also experienced academic hostility. Roanoke College requires each student to participate in at least one "May Term" before graduating. A "May Term" is a short, 4- to 6-week intensive course of study held during the month of May, after the conclusion of the spring semester.

17. Roanoke College offers different May Term options, including 10 different study-abroad courses for the 2024 May Term. During my college visit prior to selecting Roanoke College, the college's representatives stated that participation in the study-abroad courses were nearly guaranteed and that virtually no one is rejected.

18. In September 2023, I applied for three different study-abroad May Term courses; however, my top choice (Japan) was denied, and by the time I received the denials, all the other study-abroad May Term courses were no longer available. Several of my teammates on the women's swimming team had similar experiences with their May Term applications, and none of them were accepted for the Japan trip, despite listing it as their top choice as well.

19. When my mom contacted the Roanoke College administrator who oversees the May Term courses to ask why I had been denied, we were told that each individual professor who teaches the course decides who to accept. Moreover, the administrator's response indicated that the professor's individualized selection was "important, as the May Term professor does not just instruct a class but lives with the students and is broadly responsible for them while they are away."

20. Although I cannot directly prove that my expressed views on transgender athlete participation in women's sports influenced the professors' decision not to select me for a study-abroad course, the fact that (1) I was told during my pre-college visit that study-abroad selection is virtually guaranteed; (2) several other swimming teammates who spoke out on transgender participation in women's sports experienced similar obstacles in applying for study-abroad courses; and (3) the school administrator emphasized that the professor "lives with the students" during the study abroad (suggesting a professor may not want to live

with students who espouse views like mine for the duration of the course), together create an inference and form my belief that my expressed views negatively impacted my opportunity to participate in a study-abroad May Term course.

21. I have read the declaration of Dr. Wayne Lewis in support of the Plaintiffs' motion to proceed in this case anonymously. My experience is consistent with the opinions of Dr. Wayne Lewis that speaking out on transgender issues on college campuses in the United States likely subjects the speaker to "discriminatory treatment such as exclusion from university-sponsored events and activities" and that these forms of "mistreatment can be extraordinarily difficult for University Administrators to detect or address, leaving students on college campuses subject to such treatment without an effective remedy in many cases."

I verify under penalty of perjury that the foregoing is true and correct.

Executed on Jun 6, 2024.

Lillian Mullens

Lillian Mullens (Jun 6, 2024 12:54 EDT)

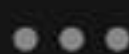
Lily Mullens

EXHIBIT 1

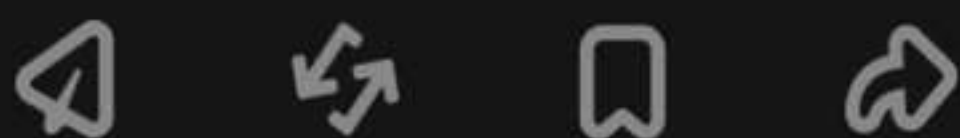
7:15



Roanoke · 7h



have the swim team drawn and quartered



#1

Women's *

4h Reply ...



OP ► #1

implied

4h Reply ...



Write a comment...



EXHIBIT 2



Roanoke · 3m



kate, bailey, and lily, i hope karma gets you
one day



1



EXHIBIT 3

10:37



◀ Search

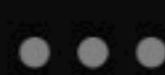
I love seeing mf's walk around campus lip syncing with the music in their ears straight vibing. I wish I enjoyed life that much



24

**R**

Roanoke · 1h



fuck the captains for thinking they had ANY right to bring up su1c1dal ideation in that interview. you're the scum of the earth.



18

**R**

Roanoke · 3h



Special fuck you to the transphobic swim team members. A trans team member existing is not violating your rights. Also It's a d3 school so you're not going anywhere in y'all's swimming careers. Get tf over yourselves!!



75

**R**

Roanoke · 1h

**My School**

Affirmations

AITA

Analyze My

